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BRIEF HISTORICAL AND OTHER PERTINENT INFORMATION CONCERNING THE COMMITTEE

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COMMITTEE ON WAYS AND MEANS
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED SECOND CONGRESS

DAN ROSTENKOWSKI, ILLINOIS, *Chairman*

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This document was prepared by the majority staff of the Committee on Ways and Means and is issued under the authority of Chairman Dan Rostenkowski. This document has not been reviewed or officially approved by the Members of the Committee.

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I. INTRODUCTION

In the 101st Congress, which convened January 3, 1989, and adjourned sine die October 27, 1990, the Committee on Ways and Means was engaged in the development of legislation of great importance to the Nation's tax system, its economy, and the well-being of its citizens.

As set forth in detail in the ensuing pages, a total of 1,737 bills was referred to the Committee in its major fields of Federal taxation, the several national Social Security programs, and foreign trade and tariffs. This figure represents 22.7 percent of all the public bills introduced in the House of Representatives in the 101st Congress.

In terms of specific activities in the first session of the 101st Congress, the Committee on Ways and Means adopted important deficit reduction legislation for fiscal year 1990. The legislation contained various revenue provisions resulting from public hearings conducted by the Committee, including provisions responding to the tax policy concerns raised by mergers, acquisitions and other transactions that increase levels of corporate debt; provisions simplifying the corporate minimum tax rules; a provision repealing certain nondiscrimination provisions; and provisions relating to capital gains and expiring tax provisions. The capital gains provision was eliminated during the conference with the Senate and the repeal of certain nondiscrimination rules was included in the Federal debt limit extension legislation which passed the Congress on November 7, 1989. The resulting legislation, H.R. 3299, the Omnibus Budget Reconciliation Act of 1989, was signed into law on December 19, 1989, as Public Law 101-239. The Medicare Catastrophic Coverage Act was modified by the Committee in consideration of H.R. 3299 and was subsequently repealed by the House as part of OBRA 1989.

In addition, in early Spring, 1989, the Committee on Ways and Means held public hearings on the financial condition of the savings and loan industry. As a result of these hearings, the Committee met in executive session to consider the savings and loan crisis and the Administration proposal to finance the bailout of insolvent thrift institutions, and subsequently reported to the full House of Representatives, with amendments, H.R. 1278, the Financial Institutions Reform, Recovery and Enforcement Act of 1989. The amendments adopted by the Committee included the repeal of special tax rules applicable to financially troubled thrift institutions and banks, and the placement of the financing program for funding insolvent thrift institutions, including the Resolution Funding Corporation (REFCORP), on-budget, meaning that the receipts and disbursements of REFCORP would be included in the Federal budget. This legislation was subsequently modified in a conference with the

Senate, and was signed into law on August 9, 1989, as Public Law 101-73.

During the second session of the 101st Congress, the Committee on Ways and Means also adopted significant deficit reduction legislation for fiscal years 1991-1995. The legislation contained provisions modifying the tax treatment of individuals, corporations and foreign persons engaged in business in the United States, and also contained various excise tax provisions, estate tax provisions, and provisions to increase compliance with the tax law. This legislation was subsequently modified with an amendment offered on the floor of the House by Chairman Rostenkowski and further modified in a conference with the Senate. The resulting legislation, H.R. 5835, the Omnibus Budget Reconciliation Act of 1990 (OBRA 1990), was signed into law on November 5, 1990, as Public Law 101-508.

In addition, the Committee on Ways and Means held extensive public hearings on environmental issues, and hearings on long-term strategies relating to the national savings rate, U.S. trade relationships with the Soviet Union and Eastern Europe, and foreign investment in the United States. Furthermore, the Committee continued its efforts to simplify the tax laws through the initiation of a major study for the development of legislation simplifying selected areas of the Internal Revenue Code.

Legislative Review of Trust Funds

During the 1989 budget reconciliation process, the Committee on Ways and Means increased the Oil Spill Liability Trust Fund tax on crude oil and imported petroleum products from 1.3 cents per barrel to 3 cents per barrel.

During the 1990 budget reconciliation process, the Committee acted to increase the Airport and Airway Trust Fund taxes (except the international departure tax) by 25 percent, effective December 1, 1990. Additionally, the Airport and Airway Trust Fund expenditure purposes were broadened to include the provision of essential air service as permitted by the authorizing legislation enacted in OBRA 1990. The automatic tax reduction trigger was also repealed.

The motor fuels taxes deposited in the Highway Trust Fund were increased during the 1990 budget reconciliation process. Only one-half (or 2.5 cents per gallon) of the 5-cents-per-gallon increase will be deposited in the Trust Fund. The remaining increase will be retained in the general fund. Twenty percent (0.5 cent per gallon) of the new deposits will be credited to the Mass Transit Account. The existing Highway Trust Fund taxes were extended through September 30, 1995.

The 0.1-cent-per-barrel Leaking Underground Storage Tank Trust Fund tax expired by its terms on August 31, 1990, when $500 million in taxes had been credited to the Trust Fund. OBRA 1990 reimposed the tax, effective December 1, 1990.

As a result of OBRA 1990, an additional 2.5 cents per gallon of gasoline used by motorboats will be deposited in the Aquatic Resources Trust Fund. The other 2.5 cents per gallon of the OBRA 1990 increase in the tax on gasoline will remain in the general fund. The existing 9-cents-per-barrel tax was extended through September 30, 1995, along with relevant exemptions.

OBRA 1990 extended without modification the current Hazardous Substance Superfund taxes for 4 years, and extended the Trust Fund for 4 years, in each case through 1995. The cap on the aggregate amount of Superfund tax revenue that may be collected was increased from $6.65 billion to $11.97 billion.

Subcommittee on Trade

The 101st Congress was a very active Congress for the Subcommittee on Trade, both for developing trade legislation and in trade oversight functions. Most of the legislative initiatives of the Subcommittee were incorporated into the "Customs and Trade Act of 1990" (H.R. 1594), enacted into law on August 20, 1990 (Public Law 101-382). In addition, the Subcommittee maintained active oversight of the executive trade agencies, the trade agreements program and trade negotiations. Members and staff also maintained close contact with private sector representatives and foreign delegations on various trade issues and the operation of trade laws and programs.

The Subcommittee held public hearings on the following subjects as part of its oversight and legislative activities: the national trade policy agenda; the Uruguay Round of General Agreement on Tariffs and Trade (GATT) multilateral trade negotiations; Europe 1992; United States-Mexico economic relations; fiscal years 1990-1992 budget authorizations and oversight of the U.S. Customs Service, USTR, and USITC; proposals to conform customs user fees and Superfund tax differentials to U.S. GATT obligations; commercial operations of the U.S. Customs Service; operation of the Foreign Trade Zones program; trade relations with Poland and Hungary and with the People's Republic of China; U.S. sugar policy; steel import proposals; conditions of competition between the U.S. and Canadian durum wheat industries; fisheries and wildlife conservation promotion, jointly with the Committee on Merchant Marine and Fisheries; banning imports of assault weapons; fuel ethanol imports from Caribbean Basin Initiative (CBI) countries; and USTR identification of priority practices and countries under super 301 and special 301 trade law provisions.

In addition, the Subcommittee solicited written public comments on the Caribbean Basin Economic Recovery Act of 1989; certain tariff and trade bills; and the trade agreement between the United States and Czechoslovakia. The Subcommittee also maintained close oversight of the Uruguay Round of multilateral trade negotiations in both Washington and Geneva as well as participated at the concluding Ministerial meeting held in Brussels, Belgium, in December 1990.

The Customs and Trade Act, passed by the House on September 7, 1989, and by the Senate on April 24, 1990, contained three titles directly within the jurisdiction of the Subcommittee: Title I includes trade agency authorizations of appropriations for fiscal years 1991 and 1992; extensive revisions to customs user fee authority to conform to U.S. obligations under the GATT; various miscellaneous customs provisions, including certain recommendations of the Subcommittee on Oversight; amendments to remove East Germany and Czechoslovakia from statutory exclusion under the Generalized System of Preferences (GSP); amendments to Title

IV of the Trade Act of 1974 to remove constitutional problems with respect to the Congressional procedures under the so-called Jackson-Vanik freedom of emigration requirements for extending most-favored-nation (MFN) treatment to communist countries; reauthorization of the Competitiveness Policy Council; authority to impose economic sanctions against products of Burma; and authority to proclaim MFN duties on imports from East Germany under certain conditions.

Title II contains the "Caribbean Basin Economic Recovery Expansion Act of 1990." This title makes the CBI program permanent; reduces duties on certain leather-related products imported from the Caribbean that are currently exempt from duty-free treatment; increases duty-free tourist allowances; extends duty-free treatment to articles assembled or processed in the Caribbean wholly from U.S.-fabricated components or materials, except for textiles and apparel and petroleum and petroleum products; creates an exception for imports from CBI countries to the general cumulation rule for determining material injury under present antidumping and countervailing duty laws; requires the Government of Puerto Rico to ensure a minimum of $100 million of new investment under section 936 of the Internal Revenue Code in Caribbean Basin countries; promotes tourism; and establishes scholarship assistance. A compromise CBI ethanol import provision was also included whereby overall imports of CBI ethanol were capped, and increasing local feedstock requirements were imposed.

Trade provisions in the Omnibus Budget Reconciliation Act of 1990 (Public Law 101-508) extended customs user fee authority through September 30, 1995, and provided the Secretary of the Treasury with limited authority to adjust the 0.17 percent ad valorem merchandise processing fee due to changes in trade flows and other conditions and subject to a maximum adjustment of 0.02 percent, plus or minus, and subject to legislative consultation and layover requirements.

The 101st Congress was an active one for East-West trade relations in the Subcommittee. A joint resolution approving the extension of nondiscriminatory MFN trade treatment to the products of Czechoslovakia, H.J. Res. 649, was approved by the Subcommittee and the Congress, and enacted on November 8, 1990 (Public Law 101-541). In addition, two measures relating to the renewal of MFN tariff status with the People's Republic of China (PRC) were developed. H.R. 4939 as reported from the Committee added seven new objectives, relating to the overall human rights situation in the PRC (in addition to the freedom of emigration objectives of Title IV of the Trade Act of 1974), which were to be taken into account in the event that the President proposed that the Jackson-Vanik waiver authority be extended for the PRC for an additional 12-month period beginning on July 4, 1991. The House passed H.R. 4939 with amendments on October 18, 1990. No action was taken by the Senate.

In addition, the Subcommittee reported without recommendation H.J. Res. 647, disapproving the recommendation of the President to extend the PRC's MFN status for another year through July 3, 1991. The House passed that measure on October 18, 1990. No action was taken by the Senate.

The Subcommittee and full Committee also reported the Steel Trade Liberalization Program Implementation Act, enacted into law December 12, 1989 (Public Law 101-221), which extended the enforcement authority for steel import voluntary restraint agreements (VRAs).

The Subcommittee and full Committee again considered textile and apparel import quota legislation in the 101st Congress. The Subcommittee and Committee reported without recommendation the Senate amendments to H.R. 4328, "The Textile, Apparel and Footwear Trade Act of 1990." The bill would have imposed global import quotas on more than 180 categories of textile products and 30 categories of footwear. The final bill passed by the Congress in September 1990, was vetoed by the President. The House sustained the veto on October 10, 1990, by a vote of 275–152.

Other legislation initiated and approved by the Subcommittee during the 101st Congress included H.Res. 257, a resolution denouncing the European Community's broadcast quota provision in a 1992 directive, approved by the House on October 23, 1989, by a record vote of 342–0; and H.R. 1154, a bill to ban imports of semiautomatic assault rifles, pistols and magazines, which was not considered by the full House of Representatives during the 101st Congress. The Subcommittee and Committee also reviewed the sugar title of the 1990 farm bill, H.R. 3950, which was reported to the House with amendments in July 1990.

Finally, during each Congress, the Subcommittee on Trade holds public hearings, and reports to the Committee, a number of miscellaneous tariff and trade bills proposing temporary duty reductions, suspensions, or classification changes relating to individual products or import entries. During the 101st Congress, the Subcommittee favorably reported over 200 miscellaneous tariff and trade provisions, as part of the budget reconciliation bill for fiscal year 1990, removed in conference with the Senate, but later enacted as part of the Customs and Trade Act of 1990. Another 50 provisions that were introduced in the House too late to be considered by the Subcommittee were also included as part of this Act by virtue of having similar provisions adopted as part of the Senate version.

One of these miscellaneous tariff bills, H.R. 3130, to suspend temporarily the duty on ranitidine hydrochloride, received additional attention by the Subcommittee. Pursuant to the conference agreement on the Customs and Trade Act, the Subcommittee conducted a hearing on September 24, 1990, to enable a more thorough evaluation of the competing allegations that have been made with respect to this product.

Subcommittee on Oversight

Hearings and oversight activities were conducted on a wide range of subjects as part of the Subcommittee on Oversight's responsibility to evaluate the impact and effectiveness of present-law rules and the administration of programs within the committee's jurisdiction. The Subcommittee's investigations and activities resulted in legislative changes by the full committee, administrative changes by the appropriate agencies, and an official record of testimony and information for consideration by the Congress and available to the public.

The Subcommittee conducted an extensive review of the Internal Revenue Service's (IRS) administration of the Federal tax system. In addition to monitoring IRS operations on an ongoing basis, hearings were held on the following subjects: IRS's operational readiness for the 1989 and 1990 tax return filing seasons; the adequacy of the administration's fiscal years 1990 and 1991 budget proposals relating to the IRS; the workload of the U.S. Tax Court; the development of Federal tax forms; uncollected tax delinquencies in the IRS's accounts receivable inventory, including debts owed by Federal agencies and the large dollar cases; and areas in need of taxpayer safeguards. In addition, the Subcommittee completed its review of the civil tax penalty system and developed legislation, which was enacted into law, to make the application of tax penalties more fair.

The Subcommittee held hearings and proposed legislative changes to improve taxpayer compliance with the Federal tax laws and reduce the "tax gap." Subcommittee hearings focused on the size, components and causes of individual and corporate noncompliance; foreign-controlled U.S. corporations underpaying U.S. tax; and businesses which fail to file required reports with the IRS upon receipt of cash in excess of $10,000. As a result of these hearings, legislation was enacted to improve the effectiveness of the related tax provisions in the Internal Revenue Code.

The Subcommittee held a series of hearings on Federal debt management issues. These hearings focussed on the activities of government-sponsored enterprises; the Resolution Trust Corporation's progress in resolving insolvent thrift institutions, and the role that Federal borrowing and loan guarantees play in resolving these institutions.

The Subcommittee held hearings in the area of retirement income security focussing on the Federal Government's efforts to deter pension plan fraud through the enforcement of existing pension laws; the use of pension plan assets in leveraged buyouts of corporations; and employer-sponsored retiree health insurance.

The Subcommittee held hearings on issues involving the U.S. Customs Service including review of problems in Customs' seized-property program, accounting and collection processes, and forfeiture fund. These hearings, in addition to hearings held during the 100th Congress, resulted in issuance by the Subcommittee of a comprehensive report on Customs Service commercial operations. Recommendations made by the Subcommittee in the report resulted in legislative and administrative reform of Customs' operations.

Finally, the Subcommittee held hearings to review the use of section 936 funds in the Caribbean Region, and on Medicare fraud schemes and physician referral of patients to health facilities in which they have a financial interest.

Subcommittee on Select Revenue Measures

During the 101st Congress, the Subcommittee on select Revenue Measures held hearings and adopted legislation on several matters that were then considered by the full Committee and eventually enacted into law. These topics included (i) modification and simplification of the corporate minimum tax, (ii) revision and extension

of the low-income housing tax credit, and (iii) modification and extension of the targeted jobs tax credit.

In addition, the Subcommittee held a public hearing and held several informal meetings on certain aspects of life insurance company taxation, including a review of the amount of taxes paid by the life insurance industry and the relative tax burden of mutual life insurance companies and stock life insurance companies. Moreover, the Subcommittee held a series of public hearings on miscellaneous revenue issues.

Subcommittee on Health

During the 101st Congress, the Subcommittee on Health approved provisions in two major pieces of legislation affecting the Medicare program: the Omnibus Budget Reconciliation Act of 1989 (OBRA 1989), and the Omnibus Budget Reconciliation Act of 1990 (OBRA 1990).

In addition to holding hearings related to these two bills, the Subcommittee held hearings and conducted briefings relating to health insurance and the uninsured, long-term care, physician recertification, medical malpractice, hospital accreditation, medical outcomes research, and other related issues.

The first major piece of legislation to be considered by the Subcommittee was H.R. 3299 which was passed by the House on September 20, 1989, and included as Title VI of OBRA 1989.

OBRA 1989 included a number of provisions affecting hospital payments. Payments were updated for hospitals in rural areas, hospitals in large urban areas, and hospitals in other urban areas.

In addition, OBRA 1989 established the Essential Access Community Hospital (EACH) demonstration program, increased the disproportionate share adjustment for disproportionate share hospitals, grandfathered rural referral centers for 3 additional years, created sole community hospitals, and established a board within the Department of Health and Human Services (HHS) to which hospitals could apply for changes in their geographic status.

Also included were a number of minor and technical provisions relating to cancer, psychiatric and merged hospitals, skilled nursing facilities, nursing home reform, and other issues relating to Part A of the Medicare program.

The Subcommittee approved a number of changes in physician payment under Medicare for inclusion in OBRA 1989. Included was a three-part reform of physician payments under the Medicare program which provided for the establishment of the Resource Based Relative Value Scale (RB RVS), the Medicare Volume Performance Standards (MVPS) system, and limits on extra-billing for nonparticipating physicians.

In addition, OBRA 1989 included reductions in payments for overpriced procedures, radiology services and anesthesiology services in a manner consistent with the transition to the RB RVS.

Also, OBRA 1989 prohibited physicians from referring Medicare beneficiaries to entities providing clinical laboratory services with which the physician has a financial relationship.

OBRA 1989 included a Subcommittee approved outcomes and effectiveness research program to examine the appropriateness of medical treatments and to create guidelines for medical practice.

Finally, a number of minor and technical provisions relating to Part B of the Medicare program were included, which, among other things, expanded coverage of the services of clinical psychologists and social workers.

The second major piece of legislation to be considered by the Subcommittee was H.R. 5835, which was passed by the House on October 20, 1990, and included as Title IV of OBRA 1990.

OBRA 1990 provided for changes in hospital updates, closed the payment gap between rural and other urban hospitals, and extended the regional floor. Also, capital payments to PPS hospitals were reduced, and the disproportionate share adjustment was made permanent.

In addition, OBRA 1990 provided for an extension of the hospice benefit beyond the 210-day limit, addressed payments to PPS-exempt hospitals, and included a variety of minor and technical amendments to Part A.

OBRA 1990 included further adjustments in payments for physician services. Fees for services that will also be reduced under the RB RVS, including overpriced procedures, radiology, anesthesiology, and pathology services, and certain other technical services. Fees for primary care services, which will generally increase under the RB RVS, were allowed to increase by 2 percent.

Several provisions addressing Medigap insurance were included in OBRA 1990. Among these were provisions relating to the simplification of policies, prevention of the sale of duplicate Medigap coverage, limitations on medical underwriting, minimum loss ratios, enforcement standards, and the use of uniform language and format.

Both OBRA 1989 and OBRA 1990 expanded Medicare coverage of preventive health services. OBRA 1989 provided coverage of screening pap smears for the early detection of cervical cancer, while OBRA 1990 provided coverage of screening mammograms for the early detection of breast cancer.

In addition, OBRA 1989 and OBRA 1990 clarified the responsibilities of physicians and hospitals in caring for patients with emergency conditions.

Subcommittee on Social Security

The Subcommittee on Social Security considered numerous legislative proposals during the 101st Congress which were subsequently enacted into law. In addition, the Subcommittee continued to actively exercise its oversight responsibilities of the Social Security Administration (SSA).

Much of the social security legislation enacted during the 101st Congress was contained in two major pieces of legislation, the Omnibus Budget Reconciliation Acts of 1989 and 1990.

OBRA 1989 (Public Law 101-239) contained provisions to include certain deferred compensation in the calculation of average wages under the Social Security Act; extend the social security coverage exemption for members of certain religious faiths; improve Social Security Administration services and beneficiary protections; continue disability benefits during appeal; change the eligibility requirements for the payment of benefits to children adopted by a disabled or retired worker; and extend the transfer of revenues

from taxing Tier II railroad retirement benefits from the General Fund to the railroad retirement trust fund for one additional year.

The package of social security items included in OBRA 1990 (Public Law 101-508) improved benefits for disabled widows; enhanced Social Security Administration services and beneficiary protections; restored telephone access to the local offices of the Social Security Administration; reformed the representative payee system; streamlined the attorney fee payment process; and made permanent the continuation of disability benefits during appeal.

In addition, OBRA 1990 extended coverage to all State and local employees not covered under a public employees retirement system; permitted the recovery of overpayments from former social security beneficiaries through a tax refund offset; created a rolling 5-year trial work period for all disabled beneficiaries; changed the eligibility requirements for the payment of benefits to a "deemed spouse" and a legal spouse and to a child adopted by the surviving spouse of a deceased worker; repealed retroactive benefits for certain categories of individuals eligible for reduced benefits; eliminated advanced tax transfers to the social security trust funds; waived the 2-year waiting period for independent entitlement to divorced spouse benefits; reduced the percentage of favorable disability determinations that are subject to review by SSA; and extended the transfer of income tax revenues into the the railroad retirement trust fund for an additional 2 years.

During the 101st Congress, the Subcommittee on Social Security placed strong emphasis on its oversight responsibilities and closely monitored the performance of the Social Security Administration. Several substantive legislative changes were made in the social security program by the Subcommittee as a direct result of testimony received from hearing witnesses.

In its first hearing of the 101st Congress, the Subcommittee examined H.R. 791, the Social Security Reform Act of 1989, a proposal to remove SSA from the Department of Health and Human Services (HHS) and establish it as an independent agency. The bill was introduced in response to the frequent turnovers in the Office of the Commissioner and leadership staff. The hearing focused on whether establishing the Social Security Administration as an independent agency would provide a more stable structure for the social security program. Legislation making the Social Security Administration an independent agency did not become law during the 101st Congress.

During the 101st Congress, the Social Security Administration established an 800 number telephone service which provides nationwide toll-free telephone access to the agency. Telephone access to SSA's local field offices was terminated so that the public was no longer able to call local field offices directly.

The Subcommittee received numerous complaints regarding the performance of the 800 number service from Members of Congress and the general public. For this reason, the Subcommittee held a hearing on February 21, 1990, regarding the 800 number service. The hearing focused on the problems that callers have experienced in reaching the 800 number, including the busy-signal rates, the accuracy of the information provided by the teleservice representatives, and the difficulties that beneficiaries and claimants experi-

enced as a result of the cutoff of direct telephone access to SSA's local offices.

The Subcommittees on Social Security and Human Resources held a joint hearing regarding the use of representative payees in the social security and Supplemental Security Income (SSI) programs.

Advocacy groups testified in detail as to the lack of proper oversight of the representative payee program by SSA. Several of those who testified documented instances where SSA failed to investigate representative payee applicants. In addition, an SSA claims representative testified that SSA's workload requirements made it impossible for a claims representative to conduct an adequate investigation of a representative payee applicant.

In April 1989, the Subcommittee held a hearing on proposals to expand coverge for certain adopted children and to tighten the dependency test for stepchildren. The hearing led to passage of a provision to improve coverge for adopted children.

Several recent studies have raised doubts about the effectiveness of SSA's current program of vocational rehabilitation of Disability Insurance (DI) beneficiaries. Reports by the General Accounting Office (GAO) (1987) and the Disability Advisory Council (1988) indicate that, in any year, fewer than one-half of 1 percent of DI beneficiaries leave the rolls because of work. Further, the council found that SSA refers fewer than 15 percent of DI beneficiaries to State vocational rehabilitation agencies and that, of these, only a small percentage are actually evaluated or receive services.

On April 19, 1990, the Subcommittee held a hearing which focused on proposals by the Disability Advisory Council, the Administration and Members of Congress to encourage more effective vocational rehabilitation of DI beneficiaries.

The Social Security Administration's computer modernization program was the subject of a Subcommittee hearing on September 28, 1989. A representative of the GAO testified that while SSA has made progress in its systems modernization program, resulting in improved service to the public, SSA has much work to do before it achieves an efficient state-of-the-art system.

On November 2, 1989, the Subcommittee held a hearing on H.R. 3505, the Social Security Solvency Protection Act, a proposal to protect the social security trust fund reserves.

Under the Gramm-Rudman-Hollings (GRH) law, the social security trust fund reserves were included in the budget for purposes of calculating the Federal budget deficit. OBRA 1990 included a provision to exclude the Old-Age, Survivors and Disability Insurance Trust Funds from the GRH calculations. In order to protect the trust fund reserves, OBRA 1990 included provisions similar to those of H.R. 3505, to require that legislation which increases social security benefits or reduces social security taxes must include commensurate changes in social security spending and/or reserves.

In recent years, many administrative law judges (ALJs) have charged that SSA's Office of Hearings and Appeals (OHA) has interfered with their judicial independence. The Subcommittee held a hearing on June 13, 1990, regarding the means to assure the judicial independence of the ALJs. The Subcommittee heard testimony from a number of ALJs and the Social Security Administra-

tion about whether performance targets are consistent with the judicial independence of the ALJs.

The social security retirement test determines to what degree a person who is eligible for social security benefits is actually retired, and therefore entitled to retirement benefits. In 1990, individuals under age 65 could earn up to $6,840 a year in wages or self-employment income and still be treated as retired. The test for people age 65–69 was $9,360 a year. People age 70 and older are not subject to the test.

On May 25, 1989, the Subcommittee on Social Security held a hearing to examine several proposals to liberalize the retirement test by increasing the exempt amount. The Subcommittee also heard testimony regarding a proposal to offset a portion of the cost of the increase by repealing retroactive benefits for certain individuals eligible for reduced social security benefits.

The Subcommittee on Social Security held two hearings during the 101st Congress to examine the findings of a study prepared by the Congressional Budget Office (CBO) regarding the economic status of the elderly. The study found that although poverty among the elderly has been steadily declining, the oldest of the old (those age 85 and older) have a higher rate of poverty and less income than the "younger old" (those age 65–84). The study also showed a higher correlation between poverty and marital status. In general, couples were less likely to be poor.

The first hearing held on May 23, 1990, focused on the results of the CBO study. The followup hearing looked at social security benefits for widows and spouses.

The annual automatic cost-of-living-adjustment (COLA) in social security benefits is determined by the consumer price index (CPI) published by the Department of Labor. Currently, the Department of Labor publishes two CPIs, the CPI–W which measures the cost of living of urban wage earners and clerical workers, and the CPI–U which covers all households in urban areas. The CPI–W is the index used to measure inflation as experienced by social security beneficiaries.

The Subcommittee held a hearing to examine the calculation and periodic adjustments of the CPI–W and CPI–U and to determine how each index affects social security beneficiaries. Testimony at the hearing confirmed that the CPI–U was the more accurate measure of the elderly, but experts believed that using the CPI–U would be likely to result in a lower social security cost-of-living adjustment for beneficiaries in the next calendar year.

Subcommittee on Human Resources

In the 101st Congress, the Subcommittee pursued its legislative and oversight responsibilities for all programs under its jurisdiction. Generally, oversight activities were related to specific legislation. The primary legislative activity of the Subcommittee during this Congress was consideration of comprehensive child care legislation.

A. CHILD CARE

During the 101st Congress, the Subcommittee on Human Resources held a series of three hearings on the problems of working poor families in need of child care and other assistance.

As a result of these hearings, child care provisions were included in three bills during the 101st Congress. In September 1989, the Committee approved and ordered reported to the House H.R. 3, the Early Childhood Education and Development Act of 1989. Although H.R. 3 went to conference in June, 1990, it was not enacted by the Congress as a separate bill.

Later in 1989, the Committee included provisions relating to child care in the Omnibus Budget Reconciliation Act of 1989 (Public Law 101-239). However, conferees on this legislation agreed to delete nondeficit related provisions from the conference agreement, thus removing any child care provisions originally included in that bill.

In October 1990, the Congress enacted H.R. 5835, the Omnibus Budget Reconciliation Act of 1990 (Public Law 101-508). Child care provisions are included in this new law. The child care provisions include tax credit provisions which expand the earned income tax credit and create a new supplemental credit for families with children under age 1. In addition, OBRA 1990 includes a provision to increase entitlement funding for child care through the title IV-A AFDC program. Under the entitlement, $300 million per fiscal year will be made available to States to provide child care services to families.

B. AFDC/CSE

During the 101st Congress, the Subcommittee on Human Resources held four hearings related to the Aid to Families with Dependent Children (AFDC) and Child Support Enforcement (CSE) programs. Three of these hearings focused on oversight and implementation of the Family Support Act of 1988 (Public Law 101-485). The fourth hearing examined the need for reform of the AFDC quality control system.

In addition, the Committee released three Committee prints on these topics. The publication entitled "General Explanation of the Family Support Act of 1988" was released in February, 1989. Later in the year (November 1989), the Subcommittee issued "The Child Support Enforcement Program: Policy and Practice," and finally in June 1990, the Committee print "Written Comments on Possible Amendments to H.R. 4229, Miscellaneous Human Resources Amendments of 1990" was released.

The Omnibus Budget Reconciliation Acts of 1989 and 1990 both contain changes to the AFDC and CSE programs. OBRA 1989 includes a major reform of the AFDC quality control system, beginning for fiscal year 1991, and permanently waives State disallowances for error rates under the quality control system for years prior to 1991.

OBRA 1989 also includes the following AFDC and CSE amendments: (1) a prohibition, prior to October 1, 1990, on the establishment of final regulations or policy changes by the Department of Health and Human Services (HHS) relating to AFDC emergency

assistance and special needs funds used for homeless families; (2) authority for a demonstration in the State of Minnesota of its proposed Minnesota Family Investment Plan; (3) technical changes to the Family Support Act of 1988; (4) the exclusion of Agent Orange settlement payments from income and resources under SSI, AFDC, Medicaid, Title XX, and other programs; and (5) continuance of Medicaid benefits for 4 months after a family loses AFDC eligibility as a result of the collection of child support payments.

In November 1990, the President signed into law the Omnibus Budget Reconciliation Act of 1990. It contains the following AFDC and CSE provisions: (1) State option to require monthly reporting and retrospective budgeting of AFDC families; (2) a requirement that States not regard a child receiving State or local foster care maintenance payments or Federal, State or local adoption assistance payments as a member of the AFDC unit; (3) a temporary repeal of the spending cap for the repatriation program; (4) an extension of the prohibition on issuance of final regulations and on changing policy relating to AFDC emergency assistance and special needs funds for homelessness; (5) a GAO study on the implementation of the Family Support Act provisions relating to Indian tribes; (6) permanent authority for the Federal income tax refund offset for non-AFDC cases; (7) a one-year extension of the Interstate Child Support Commission; and (8) authority for a delinquency monitoring project in Texas and an evaluation.

C. SUPPLEMENTAL SECURITY INCOME

Between March and May of 1989, the Subcommittee held three hearings on supplemental security income (SSI). The hearings covered various topics ranging from a general review of the program, to representative payee usage for SSI benefits and proposals for improving SSI.

During the 101st Congress, two bills containing SSI provisions became law. OBRA 1989 included: (1) the establishment of an outreach program for children; (2) benefits for children of armed forces personnel residing overseas; (3) a waiver of parental income and resource deeming for certain disabled children who were hospitalized; (4) an exclusion from countable income of domestic commercial transportation tickets received as gifts; (5) a reduction in the time during which income and resources of separated couples must be treated as jointly available to at most one month; (6) an exclusion of accrued income associated with the purchase of certain burial spaces; (7) an authorization of an intergenerational demonstration project for disabled children; and (8) an exclusion of the value of income-producing property from the equity value of property.

OBRA 1990 (Public Law 101-508) included the following SSI amendments: (1) exclusion of certain victims' compensation payments from countable income and resources; (2) elimination of the cutoff of certain work incentives at age 65; (3) exclusion from countable income of impairment-related work expenses; (4) treatment of royalties and honoraria as earned income; (5) exclusion from countable income and resources of certain State relocation assistance; (6) requirement of an evaluation of children's disabilities

by pediatricians or another qualified specialists; (7) reimbursement for vocational rehabilitation services furnished during certain months of nonpayment of SSI benefits; (8) extension from 3 to 6 months of the period of presumptive eligibility for benefits for certain SSI applicants; (9) limitation of continuing disability or blindness reviews to not more than once annually; (10) authorization of concurrent SSI and Food Stamp applications by institutionalized individuals as an alternative to single application forms; and (11) requirement of notification of certain individuals eligible to receive retroactive benefits under the U.S. Supreme Court decision in *Sullivan* v. *Zebley*.

D. CHILD WELFARE, FOSTER CARE AND ADOPTION ASSISTANCE

In the areas of child welfare, foster care and adoption assistance, six hearings were held during the 101st Congress. Three of those were field hearings focusing on the prevention of unnecessary foster care placement and the impact of crack cocaine on the child welfare system. The remaining three hearings examined problems of the system and reviewed proposals to improve the Federal foster care and child welfare programs. In addition, a Committee print entitled, "The Enemy Within: Crack-cocaine and America's Families" was released in June, 1990.

Four bills considered during the 101st Congress contained foster care and child welfare provisions. OBRA 1989 (Public Law 101-239) included: (1) an increase in the title IV-B child welfare services authorization; (2) extension of the authority which allows States to transfer funds from title IV-E to title IV-B; (3) increased Federal reimbursement for foster and adoptive parent training; (4) a requirement that health and education records be included in a foster child's case plan; (5) an extension of the title IV-E independent living program, and an increase in the entitlement ceiling for the program; and (6) a prohibition on the Secretary of HHS from reducing State payments under titles IV-B or IV-E as a result of a disallowance determination made in connection with a triennial review of State compliance with certain foster care protections.

In March and June of 1990, the Subcommittee considered H.R. 4229, the Miscellaneous Human Resource Amendments of 1990, and H.R. 5020, the Family Preservation Act of 1990, respectively. Both of these bills included child welfare/foster care amendments. However, neither of these bills were signed into law during the 101st Congress.

Finally, in November 1990, the Omnibus Budget Reconciliation Act of 1990 (Public Law 101-508) was signed. It included the following child welfare and foster care provisions: (1) a technical amendment to the title IV-E statute clarifying that child placement services are activities for which States receive Federal reimbursement as an administrative cost; (2) an extension of the prohibition on reducing payments to States with respect to disallowance determinations made in connection with a triennial review of State compliance with certain foster care protections; and (3) permission for States to include youths who have been discharged from the foster care system in services provided under the title IV-E independent living program, up to age 21.

E. SOCIAL SERVICES BLOCK GRANT

The Subcommittee also has jurisdiction over the Title XX social services block grant. The Subcommittee considered two pieces of legislation during the 101st Congress pertaining to this subject, only one of which was enacted. Congress passed OBRA 1989 in November. The act includes a permanent increase in the entitlement ceiling for the title XX program to $2.8 billion beginning for fiscal year 1990.

The Family Preservation Act of 1990, H.R. 5020, which was introduced in June 1990, also included an increase in the social services block grant. Although the Subcommittee reported this bill, no further action was taken on H.R. 5020 during the 101st Congress.

F. UNEMPLOYMENT COMPENSATION

The Subcommittee held three hearings on the reform of unemployment compensation during the 101st Congress. These hearings focused on the general reform of the unemployment compensation system, the Unemployment Compensation Reform Act of 1990 (H.R. 3896) and insurance benefits for dislocated workers. In addition, the Subcommittee issued a Committee print in January 1990, entitled "The Financial Status of State Unemployment Compensation Programs."

During 1990, the Committee considered two bills including unemployment compensation provisions. In July 1990, the Committee took up, but did not complete consideration of, H.R. 3896, the Unemployment Compensation Reform Act of 1990.

However, in October 1990, the Congress did enact OBRA 1990. It made permanent a provision that allows States to use certain excess Federal unemployment tax revenue for administrative purposes or benefits. The provision also changed the formula on which the excess funds are distributed to the States to be proportionate to Federal unemployment taxes paid by employers in each State. OBRA 1990 also included a provision extending the expiring 0.2-percentage-point Federal Unemployment Tax Act (FUTA) surtax for 5 years from 1991 through 1995.

II. JURISDICTION OF THE COMMITTEE ON WAYS AND MEANS

U.S. CONSTITUTION

Article I, Section 7, of the Constitution of the United States provides as follows:

All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

RULE X, CLAUSE 1, RULES OF THE HOUSE OF REPRESENTATIVES

Rule X, Clause 1, of the Rules of the House of Representatives, in effect during the 101st Congress, provides for the jurisdiction of the Committee on Ways and Means, as follows:

(v) Committee on Ways and Means.
(1) Customs, collection districts, and ports on entry and delivery.
(2) Reciprocal trade agreements.
(3) Revenue measures generally.
(4) Revenue measures relating to the insular possessions.
(5) The bonded debt of the United States (subject to the last sentence of clause 4(g) of this rule).[1]
(6) The deposit of public moneys.
(7) Transportation of dutiable goods.
(8) Tax-exempt foundations and charitable trusts.
(9) National social security, except (A) health care and facilities programs that are supported from general revenues as opposed to payroll deductions and (B) work incentive programs.

BRIEF DESCRIPTION OF COMMITTEE'S JURISDICTION

The foregoing recitation of the provisions of House Rule X, clause 1, paragraph (v), does not convey the comprehensive nature of the jurisdiction of the Committee on Ways and Means. The following summary provides a more complete description:

(1) *Federal revenue measures generally.*—The Committee on Ways and Means has the responsibility for raising the revenue required to finance the Federal Government. This includes individual and corporate income taxes, excise taxes, estate taxes, gift taxes, and other miscellaneous taxes.

(2) *The bonded debt of the United States.*—The Committee on Ways and Means also has jurisdiction over the extent of the authority of the Federal Government to borrow money within the Federal debt ceiling as set forth in section 21 of the Second Liberty Bond Act, the so-called Federal debt ceiling. In this regard, the permanent Federal debt ceiling, as of the close of the 101st Congress, is set at $4,145 billion. This jurisdiction also extends to debt man-

[1] The last sentence of clause 4(g) requires the Committee on Ways and Means to include in its annual February 25 report to the Budget Committee a specific recommendation as to the appropriate level of the public debt which would then be set forth in the concurrent resolution on the budget and serve as the basis for an increase or decrease in the statutory limit on the debt.

agement techniques such as the Savings Bond program and authority to issue long-term bonds at interest rates in excess of the statutory limit of 4½ percent. At the beginning of the 100th Congress, the authority to issue long-term bonds at interest rates in excess of the statutory limit was limited to $250 billion. During the 100th Congress, this limitation was repealed. In addition, this jurisdiction includes matters that otherwise circumvent the limitations on the bonded indebtedness of the United States, such as the legislation enacted in the 101st Congress to provide financing to assist insolvent savings and loan institutions, H.R. 1278, the Financial Institutions Reform, Recovery and Enforcement Act of 1989, as well as to certain matters related to government-sponsored entities (GSEs).

(3) *National social security programs.*—The Committee on Ways and Means has jurisdiction over most of the programs authorized by the Social Security Act, which includes not only those programs that are normally referred to colloquially as "Social Security" but also social insurance programs and a whole series of grant-in-aid programs to State governments for a variety of purposes. The Social Security Act, as amended, contains 20 titles (a few of which have either expired or have been repealed), covering more than 870 pages of existing law in one compilation. The principal programs established by the Social Security Act and under the jurisdiction of the Committee on Ways and Means in the 101st Congress can be outlined as follows:

(a) Old-age, survivors, and disability insurance (title II)—At present, there are approximately 132 million workers in employment covered by the program, and as of January 1991, $242 billion in benefits were being paid annually to 39.8 million individuals.

(b) Medicare (title XVIII)—Provides hospital insurance benefits to 30.0 million persons over the age of 65 and to 3.3 million disabled persons. Voluntary supplementary medical insurance is provided to 29.9 million aged persons and 3.0 million disabled persons. Expenditures under these programs were $105.4 billion in fiscal year 1990 and are estimated to be $113.3 billion in fiscal year 1991.

(c) Supplemental security income (title XVI)—The SSI program was inaugurated in January 1974 under the provisions of Public Law 92-603, as amended. It replaced the former Federal-State programs for the needy aged, blind, and disabled. In September 1989, approximately 4.6 million people received federally administered benefits under the SSI program. Of these 1.4 million received benefits on the basis of age, 83,000 were blind, and 3.0 million were disabled. Total federally administered payments during fiscal year 1989 amounted to approximately $14.7 billion, of which $11.4 billion were basic Federal benefits and $2.9 billion were federally administered State supplements to the payments.

(d) Aid to families with dependent children (title IV)—This program provides grant-in-aid to States for aid to families with dependent children and child support enforcement. About 10.9 million people in 3.8 million families received AFDC benefits during fiscal year 1989. Total AFDC payments in fiscal year 1989 were approximately $17.2 billion. In fiscal year 1989, Fed-

eral administrative expenditures totaled $0.9 billion for the child support enforcement program. Child support collections for that year totaled $5.3 billion.

(e) Social services (title XX)—Title XX authorizes the Federal Government to reimburse the States for money spent to provide persons with various services. Generally, the specific services provided are determined by each State. The statutory ceiling on Federal matching funds available to the States for fiscal year 1989 was $2.7 billion. These funds are allocated on the basis of population.

(f) Unemployment compensation programs (titles II, IX, etc.)—These titles include the State unemployment compensation programs and the permanent extended benefits program. In fiscal year 1989, an estimated $13.5 billion was paid in unemployment compensation benefits, with approximately 7.0 million workers receiving unemployment benefits.

(g) Child welfare, foster care and adoption assistance (parts B and E of title IV)—Provides funds to States for child welfare services, for abused and neglected children; foster care for AFDC children and adoption assistance for children with special needs. In fiscal year 1989, Federal expenditures for child welfare services totaled $247 million. Federal expenditures for foster care equaled $1.1 billion.

(4) *Trade and tariff legislation.*—The Committee on Ways and Means has responsibility over legislation relating to tariffs, import trade, and trade negotiations. In the early days of the Republic, tariff and customs receipts were major sources of revenue for the Federal Government. As the committee with jurisdiction over revenue-raising measures, the Committee on Ways and Means thus evolved as the primary committee responsible for international trade policy.

The Constitution vests the power to levy tariffs and to regulate international commerce specifically in the Congress as one of its enumerated powers. Any authority to regulate imports or to negotiate trade agreements must therefore be delegated to the executive branch through legislative action. Statutes such as the Reciprocal Trade Agreements Acts beginning in 1934, the Trade Expansion Act of 1962, the Trade Act of 1974, the Trade Agreements Act of 1979, the Trade and Tariff Act of 1984, and the Omnibus Trade and Competitiveness Act of 1988 provide the basis for U.S. bargaining with other countries to achieve the mutual reduction of tariff and nontariff trade barriers under reciprocal trade agreements.

The Committee's jurisdiction includes the following authorities and programs:

(a) The tariff schedules and all tariff preference programs, such as the Generalized System of Preferences and the Caribbean Basin Initiative;

(b) Laws dealing with unfair trade practices, including the antidumping law, countervailing duty law, section 301, and section 337;

(c) Other laws dealing with import trade including section 201 (escape clause), section 232 national security controls, section 22 agricultural restrictions, international commodity agreements, and textile restrictions under section 204;

(d) General and specific trade negotiating authority, as well as implementing authority for trade agreements and the grant of most-favored-nation status;

(e) The trade adjustment assistance program;

(f) Customs enforcement and administration, including rules or origin, customs classification, and customs user fees;

(g) Authorization of the budget for the U.S. International Trade Commission (ITC), the U.S. Customs Service, and the Office of the U.S. Trade Representative.

The committee, in the 101st Congress, exercised its jurisdiction over bills referred to it in the above areas and its oversight responsibilities through its six subcommittees. These subcommittees are the Subcommittee on Trade, the Subcommittee on Oversight, the Subcommittee on Select Revenue Measures, the Subcommittee on Health, the Subcommittee on Social Security, and the Subcommittee on Human Resources. The memberships of these subcommittees in the 101st Congress were as follows:

SUBCOMMITTEE ON TRADE

SAM M. GIBBONS, Florida, *Chairman*

DAN ROSTENKOWSKI, Illinois
ED JENKINS, Georgia
THOMAS J. DOWNEY, New York
DON J. PEASE, Ohio
MARTY RUSSO, Illinois
RICHARD A. GEPHARDT, Missouri [1]
FRANK J. GUARINI, New Jersey
ROBERT T. MATSUI, California
BERYL ANTHONY, JR., Arkansas [2]

PHILIP M. CRANE, Illinois
GUY VANDER JAGT, Michigan
BILL FRENZEL, Minnesota
DICK SCHULZE, Pennsylvania
WILLIAM M. THOMAS, California

SUBCOMMITTEE ON OVERSIGHT

J.J. PICKLE, Texas, *Chairman*

BERYL ANTHONY, JR., Arkansas
RONNIE G. FLIPPO, Alabama
BYRON L. DORGAN, North Dakota
HAROLD FORD, Tennessee
CHARLES B. RANGEL, New York
ANDY JACOBS, JR., Indiana

DICK SCHULZE, Pennsylvania
RAYMOND J. McGRATH, New York
ROD CHANDLER, Washington
E. CLAY SHAW, JR., Florida

SUBCOMMITTEE ON SELECT REVENUE MEASURES

CHARLES B. RANGEL, New York, *Chairman*

RONNIE G. FLIPPO, Alabama
BYRON L. DORGAN, North Dakota
BARBARA B. KENNELLY, Connecticut
MICHAEL A. ANDREWS, Texas
FORTNEY PETE STARK, California
BRIAN J. DONNELLY, Massachusetts

GUY VANDER JAGT, Michigan
RAYMOND J. McGRATH, New York
HANK BROWN, Colorado
DON SUNDQUIST, Tennessee

SUBCOMMITTEE ON HEALTH

FORTNEY PETE STARK, California, *Chairman*

BRIAN J. DONNELLY, Massachusetts
WILLIAM J. COYNE, Pennsylvania
J. J. PICKLE, Texas
BERYL ANTHONY, JR., Arkansas [3]
SANDER M. LEVIN, Michigan
JIM MOODY, Wisconsin
BENJAMIN L. CARDIN, Maryland [2]
BILL GRADISON, Ohio
ROD CHANDLER, Washington
PHILIP M. CRANE, Illinois
NANCY L. JOHNSON, Connecticut

SUBCOMMITTEE ON SOCIAL SECURITY

ANDY JACOBS, JR., Indiana, *Chairman*

RICHARD A. GEPHARDT, Missouri [1]
SAM M. GIBBONS, Florida
SANDER M. LEVIN, Michigan
JIM MOODY, Wisconsin
BENJAMIN L. CARDIN, Maryland [2]
HANK BROWN Colorado
DICK SCHULZE, Pennsylvania
BILL GRADISON, Ohio

SUBCOMMITTEE ON HUMAN RESOURCES

HAROLD FORD, Tennessee, *Chairman*

THOMAS J. DOWNEY, New York,
Acting Chairman
DON J. PEASE, Ohio
ROBERT T. MATSUI, California
BARBARA B. KENNELLY, Connecticut
MICHAEL A. ANDREWS, Texas
WILLIAM J. COYNE, Pennsylvania
E. CLAY SHAW, JR., Florida
HANK BROWN, Colorado
DON SUNDQUIST, Tennessee
NANCY L. JOHNSON, Connecticut

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[1] Resigned Oct. 5, 1989.
[2] Appointed to subcommittee Oct. 19, 1989.
[3] Resigned from subcommittee Oct. 19, 1989.

III. HISTORICAL NOTE

The Committee on Ways and Means was first established as an ad hoc committee in the first session of the First Congress, on July 24, 1789. Mr. Fitzsimons, from Pennsylvania, in commenting on the report of a select committee concerning appropriations and revenues, pointed out the desirability of having a committee to review the expenditure needs of the Government and the resources available, as follows:

> The finances of America have frequently been mentioned in this House as being very inadequate to the demands. I have never been of a different opinion, and do believe that the funds of this country, if properly drawn into operation, will be equal to every claim. The estimate of supplies necessary for the current year appears very great from a report on your table, and which report has found its way into the public newspapers. I said, on a former occasion, and I repeat it now, notwithstanding what is set forth in the estimate, that a revenue of $3 million in specie, will enable us to provide every supply necessary to support the Government, and pay the interest and installments on the foreign and domestic debt. If we wish to have more particular information on these points, we ought to appoint a Committee of Ways and Means, to whom, among other things, the estimate of supplies may be referred, and this ought to be done speedily, if we mean to do it this session.

After discussion, the motion was agreed to and a committee consisting of one member from each State (North Carolina and Rhode Island had not yet ratified the Constitution) was appointed as follows: Messrs. Fitzsimons (Pennsylvania), Vining (Delaware), Livermore (New Hampshire), Cadwalader (New Jersey), Laurance (New York), Wadsworth (Connecticut), Jackson (Georgia), Gerry (Massachusetts), Smith (Maryland), Smith (South Carolina), and Madison (Virginia).

While there does not appear to be any direct relationship, it is interesting to note that the appointment of this ad hoc committee came within a few weeks after the House, in Committee of the Whole, had spent a good part of the months of April, May, and June in wrestling with the details involved in writing bills "for laying a duty on goods, wares, and merchandises imported into the United States" and for imposing duties on tonnage. Tariffs, of course, became a prime revenue source for the new government.

However, the results of this ad hoc committee are not clear. It existed for a period of only 8 weeks, being dissolved on September 17, 1789, with the following order:

> That the Committee on Ways and Means be discharged from further proceeding on the business referred to them, and that it be referred to the Secretary of the Treasury to report thereon.

It has also been suggested by one student that the committee was dissolved because Alexander Hamilton had become Secretary of the newly created Department of the Treasury, and thus it was presumed that the Treasury Department could provide the necessary machinery for developing information which would be needed. During the next 6 years there was no Ways and Means Committee or any other standing committee for the examination of estimates. Rather, ad hoc committees were appointed to draw up particular pieces of legislation on the basis of decisions made in the Committee of the Whole House. On November 13, 1794, a rule was adopted providing that:

> All proceedings touching appropriations of money shall be first moved and discussed in a Committee on the Whole House.

In the next Congress historians have suggested that the House was determined to curtail Secretary Hamilton's influence by first setting up a Committee on Ways and Means and requiring that committee to submit a report on appropriations and revenue measures before consideration in the Committee of the Whole House. It was also said that this Ways and Means Committee was put on a more or less standing basis since such a committee appeared at some point in every Congress until it was made a permanent committee.

In the first session of the 7th Congress, Tuesday, December 8, 1801, a resolution was adopted as follows:

> *Resolved*, That a standing Committee of Ways and Means be appointed, whose duty it shall be to take into consideration all such reports of the Treasury Department, and all such propositions, relative to the revenue as may be referred to them by the House; to inquire into the state of the public debt, of the revenue, and of the expenditures; and to report, from time to time, their opinion thereon.

The following Members were appointed: Messrs. Randolph (Virginia), Griswold (Connecticut), Smith (Vermont), Bayard (Delaware), Smilie (Pennsylvania), Read (Massachusetts), Nicholson (Maryland), Van Rensselaer (New York), Dickson (Tennessee).

On Thursday, January 7, 1802, the House agreed to standing rules which, among other things, provided for standing committees, including the Committee on Ways and Means. The relevant part of the rules in this respect read as follows:

> A Committee of Ways and Means, to consist of seven members;
>
> * * * * * * *
>
> It shall be the duty of the said Committee of Ways and Means to take into consideration all such reports of the Treasury Department, and all such propositions relative to the revenue, as may be referred to them by the House; to

> inquire into the state of the public debt, of the revenue, and of the expenditures, and to report, from time to time, their opinion thereon; to examine into the state of the several public departments, and particularly into the laws making appropriations of moneys, and to report whether the moneys have been disbursed conformably with such laws; and also to report, from time to time, such provisions and arrangements, as may be necessary to add to the economy of the departments, and the accountability of their officers.

It has been said that the jurisdiction of the committee was so broad in the early 19th century that one historian described it as follows:

> It seemed like an Atlas bearing upon its shoulders all the business of the House.

The jurisdiction of the committee remained essentially the same until 1865 when the control over appropriations was transferred to a newly created Committee on Appropriations and another part of its jurisdiction was given to a newly created Committee on Banking and Currency. This action followed rather extended discussion in the House, too lengthy to review here.

During the course of that discussion, however, the following observations are of some historical interest. Mr. Cox, who was handling the motion to divide the committee, gave a very picturesque discussion of the many varied and heavy duties which had fallen on the committee over the years. He observed:

> And yet, sir, powerful as the committee is constituted, even their powers of endurance, physical and mental, are not adequate to the great duty which has been imposed by the emergencies of this historic time. It is an old adage, that "whoso wanteth rest will also want of might"; and even an Olympian would faint and flag if the burden of Atlas is not relieved by the broad shoulders of Hercules.

He continued:

> I might give here a detailed statement of the amount of business thrown upon that committee since the commencement of the war. But I prefer to append it to my remarks. Whereas before the war we scarcely expended more than $70 million a year, now, during the five sessions of the last two Congresses, there has been an average appropriation of at least $800 million per session. The statement which I hold in my hand shows that during the first and extra session of the 37th Congress there came appropriation bills from the Committee on Ways and Means amounting to $226,691,457.99. I say nothing now of the loan and other fiscal bills emanating from that committee. * * * During the present session I suppose it would be a fair estimate to take the appropriations of the last session of the 37th Congress, say $900 million.
>
> These are appropriation bills alone. They are stupendous, and but poorly symbolize the immense labors which

> the internal revenue, tariff, and loan bills imposed on the committee. * * * And this business of appropriations is perhaps not one-half of the labor of the committee. There are various and important matters upon which they act, but upon which they never report. Their duties comprehend all the varied interests of the United States; every element and branch of industry, and every dollar or dime of value. They are connected with taxation, tariffs, banking, loan bills, and ramify to every fiber of the body-politic. All the springs of wealth and labor are more or less influenced by the action of this committee. Their responsibility is immense, and their control almost imperial over the necessities, comforts, homes, hopes, and destinies of the people. All the values of the United States, which in the census of 1860 (page 194) amount to nearly $17 billion, or, to be exact, $16,159,616,068, are affected by the action of that committee, even before their action is approved by the House. Those values fluctuate whenever the head of the Ways and Means rises in his place and proposes a measure. The price of every article we use trembles when he proposes a gold bill or a loan bill, or any bill to tax directly or indirectly. * * *
>
> * * * the interests connected with these economical questions are of all questions those most momentous for the future. Parties, statesmanship, union, stability, all depend upon the manner in which these questions are dealt with.

Congressman Morrill (who was subsequently appointed chairman of the Ways and Means Committee in the succeeding Congress, and who still later became chairman of the Senate Finance Committee after he became a Senator) observed as follows:

> I am entirely indifferent as to the disposition which shall be made of this subject by the House. So far as I am myself concerned, I have never sought any position upon any committee from the present or any other Speaker of the House, and probably never shall. I have no disposition to press myself hereafter for any position. In relation to the proposed division of the Committee on Ways and Means, the only doubt that I have is the one expressed by my colleague on that committee, Mr. Stevens, in regard to the separation of the questions of revenue from those relating to appropriations. In ordinary times of peace I should deem it almost indispensable and entirely within their power that this committee should have the control of both subjects, in order that they might make both ends meet, that is, to provide a sufficient revenue for the expenditures. That reason applies now with greater force; but it may be that the committee is overworked. It is true that for the last 3 or 4 years the labors of the Committee on Ways and Means have been incessant, they have labored not only days but nights; not only weekends but Sundays. If gentlemen suppose that the committee have permitted some appropriations to be reported which

should not have been permitted they little understand how much has been resisted.

The influence the committee emanated came not only from the nature of its jurisdiction but also because for many years the chairman of the committee was also ad hoc majority floor leader of the House.

When the revolt against Speaker Cannon took place, and the Speaker's powers to appoint the members of committees was curtailed, the Democrats on the Committee on Ways and Means became the Democratic Committee on Committees.

Subsequently, however, in a change adopted by the Democratic Caucus in organizing the 94th Congress, the Caucus Steering and Policy Committee assumed the functions of the Committee on Committees and has retained them to this time.

Throughout its history, many famous Americans have served on the Committee on Ways and Means. The long and distinguished list includes 8 Presidents of the United States, 8 Vice-Presidents, 4 Justices of the Supreme Court, 34 Cabinet officers, and quite interestingly, 21 Speakers of the House of Representatives. This latter figure represents nearly one-half of the 47 Speakers who have served since 1789 through the end of the 101st Congress. See the alphabetical list which follows for names.

Major positions held by former members of the Committee on Ways and Means

President of the United States:
- George H. W. Bush, Texas
- Millard Fillmore, New York
- James A. Garfield, Ohio
- Andrew Jackson, Tennessee
- James Madison, Virginia
- William McKinley, Jr., Ohio
- James K. Polk, Tennessee
- John Tyler, Virginia

Vice President of the United States:
- John C. Breckinridge, Kentucky
- George H. W. Bush, Texas
- Charles Curtis, Kansas
- Millard Fillmore, New York
- John N. Garner, Texas
- Elbridge Gerry, Massachusetts
- Richard M. Johnson, Kentucky
- John Tyler, Virginia

Justice of the Supreme Court:
- Philip P. Barbour, Virginia
- Joseph McKenna, California
- John McKinley, Alabama
- Fred M. Vinson, Kentucky (Chief Justice)

Speaker of the House of Representatives:
- Nathaniel P. Banks, Massachusetts
- Philip P. Barbour, Virginia
- James G. Blaine, Maine
- John G. Carlisle, Kentucky

Langdon Cheves, South Carolina
James B. (Champ) Clark, Missouri
Howell Cobb, Georgia
Charles F. Crisp, Georgia
John N. Garner, Texas
John W. Jones, Virginia
Michael C. Kerr, Indiana
Nicholas Longworth, Ohio
John W. McCormack, Massachusetts
James K. Polk, Tennessee
Henry T. Rainey, Illinois
Samuel J. Randall, Pennsylvania
Thomas B. Reed, Maine
Theodore Sedgwick, Massachusetts
Andrew Stevenson, Virginia
John W. Taylor, New York
Robert C. Winthrop, Massachusetts

Cabinet Member:

Secretary of State:
James G. Blaine, Maine
William J. Bryan, Nebraska
Cordell Hull,[1] Tennessee
Louis McLane, Delaware
John Sherman, Ohio

Secretary of the Treasury:
George W. Campbell, Tennessee
John G. Carlisle, Kentucky
Howell Cobb, Georgia
Thomas Corwin, Ohio
Charles Foster, Ohio
Albert Gallatin, Pennsylvania
Samuel D. Ingham, Pennsylvania
Louis McLane, Delaware
Ogden L. Mills, New York
John Sherman, Ohio
Philip F. Thomas, Maryland
Fred M. Vinson, Kentucky

Attorney General:
James P. McGranery, Pennsylvania
Joseph McKenna, California
A. Mitchell Palmer, Pennsylvania
Caesar A. Rodney, Delaware

Postmaster General:
Samuel D. Hubbard, Connecticut
Cave Johnson, Tennessee
Horace Maynard, Tennessee
William L. Wilson, West Virgina

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[1] Recipient of Nobel Peace Prize in 1945.

Secretary of the Navy:
Thomas W. Gilmer, Virginia
Hilary A. Herbert, Alabama
Victor H. Metcalf, California
Claude A. Swanson, Virginia
Secretary of the Interior:
Rogers C. B. Morton, Maryland
Jacob Thompson, Mississippi
Secretary of Commerce and Labor:
Victor H. Metcalf, California
Secretary of Commerce
Rogers C. B. Morton, Maryland
Secretary of Agriculture
Clinton P. Anderson, New Mexico

IV. STATISTICAL REVIEW OF THE ACTIVITIES OF THE COMMITTEE ON WAYS AND MEANS IN THE 101st CONGRESS

A. Number of Bills and Resolutions Referred to the Committee

As of the close of the 101st Congress on October 27, 1990, there had been referred to the committee a total of 1,737 bills, representing almost 23 percent of all the public bills introduced in the House of Representatives.

The following table gives a more complete statistical review since 1967.

TABLE 1.—NUMBER OF BILLS AND RESOLUTIONS REFERRED TO THE COMMITTEE, 90TH THROUGH 101ST CONGRESSES

	Introduced in House	Referred to Committee on Ways and Means	Percentage
90th Congress	24,227	3,806	15.7
91st Congress	23,575	3,442	14.6
92d Congress	20,458	3,157	15.4
93d Congress	21,096	3,370	16.0
94th Congress	19,371	3,747	19.3
95th Congress	17,800	3,922	22.0
96th Congress	10,196	2,337	22.9
97th Congress	9,909	2,377	26.4
98th Congress	8,104	1,904	23.5
99th Congress	7,522	1,568	20.8
100th Congress	7,043	1,419	22.1
101st Congress	7,640	1,737	22.7

B. Public Hearings and Markup Sessions

In the course of the 101st Congress, the full Committee on Ways and Means held public hearings on a total of 45 days, including 25 days in the first session and 20 days in the second session. Many of these hearings dealt with major subjects including the tax policy aspects of mergers and acquisitions, the budget deficit, budget implications relating to troubled savings and loan institutions, the impact, effectiveness, and fairness of the Tax Reform Act of 1986, and additional financing needs of the Resolution Trust Corporation. In addition, several long-term strategy hearings were held at the full Committee level dealing with such issues as the national savings rate of the United States and it's trading partners, trade relationships between the United States, the Soviet Union and Eastern Europe, as well as foreign investment in the United States, and long-term strategies on environmental issues.

The following table specifies the statistical data on the number of days, witnesses, and volumes published on each of the subjects covered by public hearings in the full Committee during the 101st Congress.

TABLE 2.—PUBLIC HEARINGS CONDUCTED BY THE FULL COMMITTEE ON WAYS AND MEANS

Subject and date	Number of—		
	Days	Witnesses	Volumes
1989:			
Tax Policy Aspects of Mergers and Acquisitions--Part I, Jan. 31; Feb. 1, 2; Mar. 14, 15	5	59	1
Tax Policy Aspects of Mergers and Acquisitions—Part II, May 16, 17	2	28	1
The Budget Deficit, the State of the U.S. Economy, and Federal Budget Policy for Fiscal Year 1990 and Beyond, Feb. 7, 8, 9; Mar. 7, 8, 15	6	24	1
Budget Implications and Current Tax Rules Relating to Troubled Savings and Loan Institutions, Feb. 22; Mar. 9, 15	3	28	1
Revenue Proposals Contained in the President's Budget for Fiscal Year 1990, Apr. 12, 13	2	38	1
Federal Credit Reform and Borrowing by Off-Budget Agencies, Apr. 18	1	10	1
Long-Term Strategies for Programs and Issues Within the Jurisdiction of the Committee: National Savings Rate of the United States and Its Trading Partners, Apr. 19, 20	2	22	1
Nondiscrimination Rules Applicable to Employee Benefit Plans Under Section 89 of the Internal Revenue Code (H.R. 1864), May 2, 3	2	45	1
Utility Customer Refund Act of 1989 (H.R. 2493) and Utility Ratepayer Refund Act of 1989 (H.R. 1150), Oct. 4	1	28	1
Administration's Enterprise Zone Proposal and H.R. 6, the Enterprise Zone Improvements Act of 1989, Oct. 17, 18	2	27	1
Long-Term Strategies for Programs and Issues Within the Jurisdiction of the Committee: Preparing Today's Children and Families for the Labor Force of the Future, Oct. 25	1	6	1
Total 1989	27	315	11
1990:			
U.S. Trade Relationships with the Soviet Union and Eastern Europe, the Implications of "Europe 1992" on American Direct Investment, and Foreign Investment in the United States, Jan. 24, 25, 30, 31; Feb. 28; Mar. 1; Apr. 18	7	51	1
Certain Tax and Trade Alcohol Fuel Initiatives, Feb. 1	1	30	1
Budget Deficit, the State of the U.S. Economy and Federal Budget Policy, and the Administration's Budget Proposal for Fiscal Year 1991 and Beyond, Feb. 6; Mar. 8	2	15	1
Impact, Effectiveness and Fairness of the Tax Reform Act of 1986, Feb. 7, 8; Mar. 5	3	55	1
Long-Term Strategies of Programs and Issues Within the Jurisdiction of the Committee: The Environment, Mar. 6, 7, 14	3	78	1
"Discussion Draft" Relating to Estate Valuation Freezes, Apr. 24	1	35	1

TABLE 2.—PUBLIC HEARINGS CONDUCTED BY THE FULL COMMITTEE ON WAYS AND MEANS—Continued

Subject and date	Number of—		
	Days	Witnesses	Volumes
The Drug War Bond Act of 1989 (H.R. 2972), Apr. 25	1	18	1
Administration's Request for an Increase in the Public Debt Limit and Additional Financing Needs of the Resolution Trust Corporation, July 11	1	3	1
Additional Financing Costs Associated with Resolving Insolvent Savings and Loan Institutions, Sept. 19	1	9	1
Total 1990	20	294	9
Total for both sessions	47	609	20

The six subcommittees of the Committee on Ways and Means were also very active in conducting public hearings during the 101st Congress. The following table specifies in detail the number of days, witnesses, and volumes published by each of the subcommittees.

TABLE 3.—PUBLIC HEARINGS CONDUCTED BY THE SUBCOMMITTEES OF THE COMMITTEE ON WAYS AND MEANS

Subject and date	Number of—		
	Days	Witnesses	Volumes
SUBCOMMITTEE ON TRADE			
1989:			
Proposals to Conform the Customs User Fees on Merchandise Processing and the Superfund Tax Differential to U.S. GATT Obligations, Jan. 25	1	5	1
National Trade Policy Agenda, Feb. 28; Apr. 26	2	2	1
Europe 1992, Mar. 20	1	8	1
Fiscal Year 1990 Budget Authorizations and Oversight for the U.S. Customs Service, the U.S. International Trade Commission, and the U.S. Trade Representative, Mar. 22	1	17	1
Banning the Importation of Assault Weapons and Certain Accessories Into the United States (H.R. 1154), Apr. 10	1	8	1
Uruguay Round of Multilateral Trade Negotiations, Apr. 11	1	1	1
Fuel Ethanol Imports from Caribbean Basin Initiative Countries, Apr. 25	1	18	1
USTR Identification of Priority Practices and Countries Under Super 301 and Special 301 Provisions of the Omnibus Trade and Competitiveness Act of 1988, June 8	1	7	1
Trade Relations with Poland and Hungary, June 12	1	4	1
Steel Import Stabilization Extension Act and Other Proposals Related to the Steel Voluntary Restraint Agreement Program (H.R. 904), June 13, 15, 26; Aug. 1	4	45	1
Operation of the Foreign Trade Zones Program of the United States and its Implications for the U.S. Economy and U.S. International Trade, Oct. 24	1	24	1

TABLE 3.—PUBLIC HEARINGS CONDUCTED BY THE SUBCOMMITTEES OF THE COMMITTEE ON WAYS AND MEANS—Continued

Subject and date	Number of—		
	Days	Witnesses	Volumes
Fisheries and Wildlife Conservation Promotion (H.R. 132) (held jointly with Committee on Merchant Marine and Fisheries, Subcommittee on Fisheries and Wildlife Conservation and the Environment), Oct. 26	1	7	1
Conditions of Competition Between the United States and Canadian Durum Wheat Industries, Dec. 7 (Bismarck, N. Dak.)	1	19	1
1990:			
U.S. Sugar Policy, Implications for International Trade, and Options for Reform, Feb. 20	1	19	1
Fiscal Years 1991 and 1992 Budget Authorizations for the U.S. Customs Service, the U.S. International Trade Commission, and the Office of the U.S. Trade Representative, Feb. 21	1	12	1
Commercial Operations of the U.S. Customs Service, May 2, 3	2	25	1
United States-Mexico Economic Relations, June 14, 28	2	34	1
United States-Peoples' Republic of China (PRC) Trade Relations, Including Most-Favored-Nation Status for the PRC, June 19, 21	2	37	1
Temporary Suspension of Duty on Ranitidine Hydrochloride (H.R. 3130), Sept. 24	1	6	1
Total	26	298	19
SUBCOMMITTEE ON OVERSIGHT			
1989:			
Review of the Civil Penalty Provisions Contained in the Internal Revenue Code (H.R. 2528), Feb. 21; June 6	2	31	1
Issues Related to Physician "Self-Referrals" (H.R. 939) (held jointly with Subcommittee on Health), Mar. 2; June 1	2	16	1
1989 Tax Return Filing Season, Mar. 16	1	5	1
Administration's Fiscal Year 1990 Budget Proposals Relating to the Internal Revenue Service and the U.S. Tax Court, Apr. 4	1	10	1
Accounting Control Problems in the U.S. Customs Service's Collection Process and Forfeiture Fund. Apr. 17	1	10	1
Utilization of Pension Plan Assets in Leveraged Buyouts and Related Transactions, Apr. 27	1	13	1
Employer-Sponsored Retiree Health Insurance, June 14	1	15	1
Development of Federal Tax Forms by the Internal Revenue Service, Aug. 3	1	11	1
Government-Sponsored Enterprises—Vol. I, Sept. 28	1	13	1
U.S. Customs Service Seized-Property Program and Forfeiture Fund, Oct. 10	1	10	1
Tax Policy Aspects of Recent Buyout Activity in the Air Transportation Industry, Oct. 24	1	11	1
Role of Federal Borrowing and Loan Guarantees in Resolving Insolvent Thrift Institutions (H.R. 3469), Oct. 31	1	7	1
1990:			
Review of Internal Revenue Service's Accounts Receivable Inventory, Feb. 20	1	10	1

TABLE 3.—PUBLIC HEARINGS CONDUCTED BY THE SUBCOMMITTEES OF THE COMMITTEE ON WAYS AND MEANS—Continued

Subject and date	Number of—		
	Days	Witnesses	Volumes
Resolution Trust Corporation's Operations and Progress in Resolving Insolvent Thrift Institutions, Feb. 27	1	3	1
1990 Tax Return Filing Season and the Administration's Fiscal Year 1991 Budget Proposals Relating to the Internal Revenue Service, Mar. 22	1	13	1
Use of Section 936 Funds for Loans in the Caribbean Region, Apr. 3	1	10	1
The "Tax Gap" and Taxpayer Noncompliance, Apr. 19	1	12	1
Government-Sponsored Enterprises—Vol. II, May 14	1	5	1
Enforcement and Administration of the Employee Retirement Income Security Act of 1974, June 12, 13	2	36	1
Tax Underpayments by U.S. Subsidiaries of Foreign Countries, July 10, 12	2	35	1
Fraud in the Medicare Program, July 30 (Fort Lauderdale, Fla.); Sept. 25	2	9	1
Business Community's Compliance with Federal Money Laundering Statutes, Sept. 20	1	15	1
Federal Employment Tax Assessments Against Federal Agencies and Large IRS Service Accounts Receivable Cases, Oct. 18	1	9	1
Total	28	309	23
SUBCOMMITTEE ON SELECT REVENUE MEASURES			
1989:			
Low-Income Housing Tax Credit, May 23	1	19	1
Targeted Jobs Tax Credits, June 6	1	17	1
Rehabilitation Tax Credit, June 6	1	14	1
Corporate Alternative Minimum Tax (H.R. 1761), June 8	1	26	1
Miscellaneous Revenue Issues—Vol. I, Oct. 12, 26	2	69	1
Life Insurance Company Taxation, Oct. 19	1	26	1
1990:			
Miscellaneous Revenue Issues—Vol. II, Feb. 21, 22	2	74	1
Total	9	245	7
SUBCOMMITTEE ON HEALTH			
1989:			
Fiscal Year 1990 Budget Issues Relating to Hospital Payment Under Part A of the Medicare Program, Mar. 1	1	10	1
Issues Related to Physician "Self-Referrals" (H.R. 939) (held jointly with Subcommittee on Oversight), Mar. 2; June 1	2	16	1
Coverage of Psychologists' Services Under the Medicare Program, Including H.R. 774, Mar. 6	1	10	1
Reimbursement Under the Medicare Program for Hospital Capital Expenses (H.R. 712), Mar. 13	1	7	1
1989 Report of the Physician Payment Review Commission, Mar. 21	1	9	1
Health Insurance and the Uninsured, Apr. 6	1	12	1
Fiscal Year 1990 Budget Issues Relating to Payment for Outpatient Hospital Surgery Under Part B of the Medicare Program, Apr. 10	1	16	1
Fiscal Year 1990 Budget Issues Relating to Graduate Medical Education and its Support Under the Medicare Program, Apr. 11	1	9	1

TABLE 3.—PUBLIC HEARINGS CONDUCTED BY THE SUBCOMMITTEES OF THE COMMITTEE ON WAYS AND MEANS—Continued

Subject and date	Number of—		
	Days	Witnesses	Volumes
Fiscal Year 1990 Budget Issues Relating to Medicare Payments to Physicians, Apr. 17	1	14	1
Fiscal Year 1990 Budget Issues Relating to Physician Incentive Payments by Prepaid Health Plans, Apr. 25	1	11	1
Fiscal Year 1990 Budget Issues Relating to Payment of Inner-City and Rural Hospitals Under Part A of the Medicare Program, May 15	1	15	1
Standards for Private Long-Term Care Insurance, May 17	1	6	1
Medical Care Quality Research and Improvement Act of 1989 (H.R. 1692), May 24	1	15	1
Establishment of State Risk Pools to Provide Health Coverage for Uninsured Americans, May 25	1	5	1
1990:			
Medicare Benefit Improvements Act of 1990 (H.R. 3880), Feb. 27	1	8	1
Fiscal Year 1991 Budget Issues Relating to Hospital Payment Under Part A of the Medicare Program, Feb. 28	1	7	1
Medicare Supplement Insurance Policies, Mar. 13	1	9	1
Health Insurance for Children and Pregnant Women, Mar. 20	1	7	1
Fiscal Year 1991 Budget Issues Relating to Physician Payments Under Part B of the Medicare Program, Mar. 29	1	7	1
Health Insurance in the Small Group Market, Apr. 3	1	12	1
Fiscal Year 1991 Budget Issues Relating to Payment of Inner-City and Rural Hospitals Under Part A of the Medicare Program, Apr. 4	1	12	1
Physician Recertification, Apr. 23	1	8	1
Issues Related to Medical Malpractice, Apr. 26	1	7	1
Fiscal Year 1991 Budget Issues Related to the Increase in the Volume of Medicare Physician Services, May 3	1	10	1
Fiscal Year 1991 Budget Issues Relating to Payment of Health Maintenance Organizations by the Medicare Program, May 8	1	11	1
Fiscal Year 1991 Budget Issues Relating to Prospective Payment for Certain Services Under the Medicare Program, May 10	1	8	1
Fiscal Year 1991 Reconciliation Issues Relating to Durable Medical Equipment, Clinical Laboratory Services, and Other Issues Under the Medicare Program (H.R. 4449, H.R. 4109), May 22	1	12	1
Health Insurance Options: Expanding Coverage Under Medicare and Other Public Health Insurance Programs, June 12	1	6	1
Fiscal Year 1991 Reconciliation Issues Relating to Medicare Waste and Abuse, June 14	1	15	1
Hospital Accreditation and Compliance With Medicare's Conditions of Participation, June 21	1	9	1
Health Insurance Options: Proposals from the Provider Community, July 24	1	5	1

TABLE 3.—PUBLIC HEARINGS CONDUCTED BY THE SUBCOMMITTEES OF THE COMMITTEE ON WAYS AND MEANS—Continued

Subject and date	Number of—		
	Days	Witnesses	Volumes
Cash and Health Insurance Benefits to Dislocated Workers (H.R. 3896) (held jointly with Subcommittee on Human Resources), Aug. 1	1	10	1
Total	33	318	32
SUBCOMMITTEE ON SOCIAL SECURITY			
1989:			
Social Security Administration as an Independent Agency (H.R. 791), Mar. 1	1	16	1
Use of Representative Payees in the Social Security and Supplemental Security Income Programs (held jointly with Subcommittee on Human Resources), Mar. 22	1	10	1
Social Security Benefits for Adopted Children and Stepchildren, Apr. 6	1	11	1
Consumer Price Index Measure Used in Calculating Social Security Cost-of-Living Adjustments, Apr. 26	1	8	1
The Oldest and Poorest Social Security Beneficiaries, May 23	1	9	1
Proposals to Liberalize the Social Security Retirement Test and to Repeal Certain Social Security Benefits, May 25	1	19	1
Social Security Administration's Computer Modernization Program, Sept. 28	1	8	1
Social Security Solvency Protection Act (H.R. 3505), Nov. 2	1	18	1
1990:			
Social Security Administration's 800 Number Telephone Service, Feb. 21	1	16	1
President's Fiscal Year 1991 Budget Proposals Related to Social Security, Mar. 20	1	7	1
Social Security Benefits for Widows and Spouses, Apr. 5	1	14	1
Social Security Tax Treatment of Nonqualified Deferred Compensation, Apr. 5	1	7	1
Proposals to Improve the Effectiveness of the Social Security Administration's Vocational Rehabilitation Program, Apr. 19	1	13	1
Judicial Independence of Administrative Law Judges at the Social Security Administration, June 13	1	15	1
Social Security Tax Treatment of Cash Tips, July 24	1	7	1
Total	15	178	15
SUBCOMMITTEE ON HUMAN RESOURCES			
1989:			
How to Help the Working Poor; and Problems of the Working Poor, Feb. 28; Mar. 21; Apr. 27	3	17	1
Supplemental Security Income Program (held jointly with Select Committee on Aging), Mar. 2	1	6	1
Use of Representative Payees in the Social Security and Supplemental Security Income Programs (held jointly with Subcommittee on Social Security), Mar. 22	1	10	1
Reform of AFDC Quality Control, May 8	1	11	1
Programs and Services Designed to Prevent Unnecessary Foster Care Placement, May 22 (Austin, Tex.); June 5 (Lindenhurst, N.Y.)	2	15	1

TABLE 3.—PUBLIC HEARINGS CONDUCTED BY THE SUBCOMMITTEES OF THE COMMITTEE ON WAYS AND MEANS—Continued

Subject and date	Number of—		
	Days	Witnesses	Volumes
Reforming the Unemployment Compensation System, May 24	1	21	1
Oversight of the Family Support Act of 1988, May 25	1	10	1
Proposals to Improve the Supplemental Security Income Program, May 30	1	22	1
Proposals to Improve the Foster Care and Child Welfare Programs, June 1	1	13	1
1990:			
The Unemployment Compensation Reform Act of 1990 (H.R. 3896), Feb. 22, 26	2	28	1
Implementation of the Family Support Act of 1988, Mar. 26 (San Diego, Calif.); Apr. 30 (Little Rock, Ark.)	2	20	1
Impact of Crack Cocaine on the Child Welfare System, Apr. 3 (Children's National Medical Center, Washington, D.C.)	1	4	1
Federally Funded Child Welfare, Foster Care, and Adoption Assistance Programs, Apr. 4, 5	2	22	1
Cash and Health Insurance Benefits to Dislocated Workers (H.R. 3896) (held jointly with Subcommittee on Health), Aug. 1	1	10	1
Total	20	209	14

As the foregoing statistics indicate, during the 101st Congress the full Committee and its six subcommittees held public hearings aggregating a grand total of 170 days, during which time 2,166 witnesses were heard resulting in the publication of 127 printed volumes of testimony. Included in this total are hearings which were jointly held by two subcommittees or with other House committees. These joint hearings comprised 6 days of testimony with 49 witnesses and resulted in 5 volumes of printed testimony. Field hearings were held by several subcommittees in the following cities: Little Rock, Ark.; San Diego, Calif.; the Children's National Medical Center, Washington, D.C.; Fort Lauderdale, Fla.; Bismarck, N. Dak.; Lindenhurst, N.Y.; and Austin, Tex.

In addition, written comments were printed after having been requested and received by the full Committee on proposals on tax simplification. The Subcommittee on Trade received written comments on H.R. 1233, the Caribbean Basin Economic Recovery Expansion Act of 1989, as well as comments on the trade agreement between the United States and Czechoslovakia. Also, written comments were received on numerous tariff and trade bills which resulted in 6 volumes of printed comments. The Subcommittee on Select Revenue Measures received written comments on H.R. 5017, the Intermodal Container Tax Treatment Clarification Act of 1990, as well as H.R. 3821, a bill relating to taxpayer direction of tax refunds for specified purposes.

Finally, the Subcommittee on Human Resources received written comments on possible amendments to H.R. 4229, the Miscellaneous Human Resources Amendments of 1990.

With respect to markup or business sessions during the 101st Congress, the full committee and its six subcommittees were also very actively engaged. The full committee held such sessions on 49 working days, usually both morning and afternoon sessions, and the subcommittees an aggregate of 24 working days, making a grand total of 73 working days of markup or business sessions for the committee and its subcommittees during the 101st Congress.

C. Number and Final Status of Bills Reported From the Committee on Ways and Means in the 101st Congress

During the 101st Congress, the committee reported favorably to the House a total of 28 bills. Forty-six bills containing provisions within the purview of the committee were passed by the House and 25 were enacted into law. It should be noted that this total is not at all indicative of the total number of bills considered by the committee, because when the committee goes into session on major tax, tariff, social security, health, unemployment compensation, or human resources matters, it very often considers the broad subject rather than certain specific bills, and in the course of consideration of the subject makes every attempt to review all of the pertinent bills pending before the committee which are encompassed within that subject. Further, it is the practice of the committee normally to report bills on a major subject which may involve many sections containing subjects included in perhaps as many as several hundred bills pending before the committee.

V. CHAIRMEN OF THE COMMITTEE ON WAYS AND MEANS AND MEMBERSHIP OF THE COMMITTEE FROM THE 1st THROUGH THE 101st CONGRESSES

A. Chairmen of the Committee on Ways and Means, 1789 to Present

Name	State	Party	Term of service
Thomas Fitzsimons	Pennsylvania	Federalist	1789.
William L. Smith	South Carolina	do	1794 to 1797.
Robert G. Harper	do	do	1797 to 1800.
Roger Griswold	Connecticut	do	1800 to 1801.
John Randolph	Virginia	Jeffersonian Republican	1801 to 1805, 1827.
Joseph Clay	Pennsylvania	do	1805 to 1807.
George W. Campbell	Tennessee	do	1807 to 1809.
John W. Eppes	Virginia	do	1809 to 1811.
Ezekiel Bacon	Massachusetts	do	1811 to 1812.
Langdon Cheves	South Carolina	do	1812 to 1813.
John W. Eppes	Virginia	do	1813 to 1815.
William Lowndes	South Carolina	do	1815 to 1818.
Samuel Smith	Maryland	do	1818 to 1822.
Louis McLane	Delaware	do	1822 to 1827.
George McDuffie	South Carolina	Democrat	1827 to 1832.
Gulian C. Verplanck	New York	do	1832 to 1833.
James K. Polk	Tennessee	do	1833 to 1835.
C. C. Cambreleng	New York	do	1835 to 1839.
John W. Jones	Virginia	do	1839 to 1841.
Millard Fillmore	New York	Whig	1841 to 1843.
James Iver McKay	North Carolina	Democrat	1843 to 1847.
Samuel F. Vinton	Ohio	Whig	1847 to 1849.
Thomas H. Bayly	Virginia	Democrat	1849 to 1851.
George S. Houston	Alabama	do	1851 to 1855.
Lewis D. Campbell	Ohio	Republican	1855 to 1857.
J. Glancy Jones	Pennsylvania	Democrat	1857 to 1858.
John S. Phelps	Missouri	do	1858 to 1859.
John Sherman	Ohio	Republican	1859 to 1861.
Thaddeus Stevens	Pennsylvania	do	1861 to 1865.
Justin S. Morrill	Vermont	Republican	1865 to 1867.
Robert C. Schenck	Ohio	do	1867 to 1871.
Samuel D. Hooper	Massachusetts	do	1871.
Henry L. Dawes	Massachusetts	do	1871 to 1875.
William R. Morrison	Illinois	Democrat	1875 to 1877.
Fernando Wood	New York	do	1877 to 1881.
John R. Tucker	Virginia	do	1871.
William D. Kelley	Pennsylvania	Republican	1881 to 1883.
William R. Morrison	Illinois	Democrat	1883 to 1887.
Roger Q. Mills	Texas	do	1887 to 1889.
William McKinley, Jr	Ohio	Republican	1889 to 1891.
William M. Springer	Illinois	Democrat	1891 to 1893.
William L. Wilson	West Virginia	do	1893 to 1895.
Nelson Dingley, Jr	Maine	Republican	1895 to 1899.
Sereno E. Payne	New York	do	1899 to 1911.
Oscar W. Underwood	Alabama	Democrat	1911 to 1915.
Claude Kitchin	North Carolina	do	1915 to 1919.
Joseph W. Fordney	Michigan	Republican	1919 to 1923.
William R. Green	Iowa	do	1923 to 1928.

Name	State	Party	Term of service
Willis C. Hawley	Oregon	do	1929 to 1931.
James W. Collier	Mississippi	Democrat	1931 to 1933.
Robert L. Doughton	North Carolina	do	1933 to 1947, 1949 to 1953.
Harold Knutson	Minnesota	Republican	1947 to 1949.
Daniel A. Reed	New York	Republican	1953 to 1955.
Jere Cooper	Tennessee	Democrat	1955 to 1957.
Wilbur D. Mills	Arkansas	do	1957 to 1975.
Al Ullman	Oregon	do	1975 to 1981.
Dan Rostenkowski	Illinois	do	1981 to

[1] Not known.

B. Tables Showing Past Membership of the Committee

1. MEMBERS OF THE COMMITTEE ON WAYS AND MEANS FROM THE 1ST THROUGH 101ST CONGRESS, BY STATE

	Congress
Alabama:	
John McKinley	23*
David Hubbard	26
Dixon H. Lewis	27–28
George S. Houston	29–30, 32–33
James F. Dowdell	35
Hilary A. Herbert	48
Joseph Wheeler	53–55
Oscar W. Underwood	56, 59–63
Ronnie G. Flippo	98–101
Arkansas:	
James K. Jones	48
Clifton R. Breckinridge	49–51, 53
William A. Oldfield	64–70
Heartsill Ragon	70–73
William J. Driver	72
Claude A. Fuller	73–75
Wilbur D. Mills	77–94
Jim Guy Tucker, Jr	95
Beryl Anthony, Jr	97–
California:	
Joseph McKenna	51–52
Victor H. Metcalf	57–58
James C. Needham	58–62
William E. Evans	73
Frank H. Buck	74–77
Bertrand W. Gearhart	76–80
Cecil R. King	78–79, 81–90
James B. Utt	83, 86–91
James C. Corman	90–96
Jerry L. Pettis	91–94
William M. Ketchum	94–95
Fortney Pete Stark	94–
John H. Rousselot	95–97
Robert T. Matsui	97–
William M. Thomas	98–

Colorado:
Robert W. Bonynge 60
Charles B. Timberlake 66–72
John A. Carroll 81
Donald G. Brotzman 92–93
George H. "Hank" Brown 100–101
Connecticut:
Jeremiah Wadsworth 1
Uriah Tracy 3
James Hillhouse 4
Nathaniel Smith 4–5
Joshua Coit 5
Roger Griswold 5–8
John Davenport 8
Jonathan O. Moseley 9, 14, 16
Benjamin Tallmadge 10–11
Timothy Pitkin 12–13, 15
Ralph I. Ingersoll 21–22
Samuel D. Hubbard 30
James Phelps 45–46
Charles A. Russell 54–57
Ebenezer J. Hill 58–62, 64–65
John Q. Tilson 66–68
Antoni N. Sadlak 83–85
William R. Cotter 94–97
Barbara B. Kennelly 98–
Nancy L. Johnson 101–
Delaware:
John Vining 1
Henry Latimer 3
John Patten 4
James A. Bayard, Sr 5, 7
Caesar A. Rodney 3
Louis McLane 16–19
Florida:
A. S. Herlong, Jr 84–90
Sam M. Gibbons 91–
L. A. (Skip) Bafalis 94–97
E. Clay Shaw, Jr 100–
Georgia:
James Jackson 1
Abraham Baldwin 3–5
Benjamin Taliaferro 6
John Milledge 7
David Meriwether 8–9
William W. Bibb 12–13
Joel Abbott 15
Joel Crawford 15–16
Wiley Thompson 17–18
George R. Gilmer 20
Richard H. Wilde 22–23
George W. Owens 24–25
Charles E. Haynes 25
Mark A. Cooper 26

Absalom H. Chappell 28
Seaborn Jones 29
Robert Toombs 30–31
Alexander H. Stephens 30–31, 33
Marshall J. Wellborn 31
Howell Cobb 34
Martin J. Crawford 35–36
Benjamin H. Hill 44
Henry R. Harris 45, 49
William H. Felton 46
Emory Speer 47
James H. Blount 48
Henry G. Turner 50–54
Charles F. Crisp 54
James M. Griggs 60–61
William G. Brantley 61–62
Charles R. Crisp 64–72
Albert S. Camp 78–83
Phillip M. Landrum 89–94
Ed Jenkins 95–
Wyche Fowler, Jr 96–99

Hawaii:

Cecil (Cec) Heftel 96–99

Illinois:

Daniel P. Cook 19
John A. McClernand 37
John Wentworth 39
John A. Logan 40
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[1] Resigned Oct. 5, 1989.
[2] Elected to committee Oct. 16, 1989.